

SENATE BILL 294

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SB 448/03 - FIN

2004 Regular Session
4r1539
CF 4r2078

By: **Senators Middleton, Gladden, and Kelley**
Introduced and read first time: January 30, 2004
Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Transportation - Maryland Senior Rides Demonstration Program**

3 FOR the purpose of establishing the Maryland Senior Rides Demonstration Program
4 within the Maryland Transit Administration; establishing the purpose of and
5 certain criteria for the participation in and the awarding of grants under the
6 Program; requiring the Administration to consult with certain parties regarding
7 the awarding of grants and the adoption of regulations under this Act;
8 authorizing grant participants to provide certain services; requiring the
9 Administration to adopt certain regulations; requiring Program participants to
10 submit certain reports to the Administration; requiring the Administration to
11 submit certain evaluations to the General Assembly; and generally relating to
12 the Maryland Senior Rides Demonstration Program.

13 BY adding to
14 Article - Transportation
15 Section 7-1001 through 7-1005, inclusive, to be under the new subtitle "Subtitle
16 10. Maryland Senior Rides Demonstration Program"
17 Annotated Code of Maryland
18 (2001 Replacement Volume and 2003 Supplement)

19 Preamble

20 WHEREAS, Senior citizens in Maryland face unique challenges in accessing
21 safe, available, and affordable transportation for a variety of medical, routine, social,
22 and personal needs; and

23 WHEREAS, The federal, State, and local resources available to subsidize
24 transportation for seniors, and the existing transportation services offered by State,
25 local, and private providers, do not adequately meet the needs of seniors for
26 door-to-door, nonfixed-route, and on-demand transportation options; and

27 WHEREAS, The transportation challenges faced by seniors vary significantly
28 across the State depending on whether they live in urban, suburban, or rural settings;
29 and

1 WHEREAS, Senior citizens make up more than 15% of Maryland's population
2 and, by 2020, that percentage is expected to grow to 23%; now, therefore,

3 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
4 MARYLAND, That the Laws of Maryland read as follows:

5 **Article - Transportation**

6 SUBTITLE 10. MARYLAND SENIOR RIDES DEMONSTRATION PROGRAM.

7 7-1001.

8 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
9 INDICATED.

10 (B) "DOOR-TO-DOOR TRANSPORTATION" MEANS PROVIDING, THROUGH
11 PREARRANGED APPOINTMENT, SAFE ESCORT FROM A DEPARTURE POINT, INTO AND
12 OUT OF A TRANSPORT VEHICLE AND TO THE DOOR OF THE DESTINATION.

13 (C) "LOW-INCOME TO MODERATE-INCOME" MEANS THE HOUSEHOLD INCOME
14 OF AN INDIVIDUAL DOES NOT EXCEED 400% OF THE POVERTY THRESHOLD THAT IS
15 ESTABLISHED BY THE UNITED STATES DEPARTMENT OF COMMERCE, BUREAU OF
16 STATISTICS FOR A GIVEN YEAR.

17 (D) "PROGRAM" MEANS THE MARYLAND SENIOR RIDES DEMONSTRATION
18 PROGRAM ESTABLISHED UNDER THIS SUBTITLE.

19 (E) "PROGRAM APPLICANT" MEANS A GOVERNMENT AGENCY, NONPROFIT
20 ENTITY, OR FAITH-BASED AGENCY THAT PROVIDES TRANSPORTATION SERVICES
21 AND IS EXEMPT FROM TAXATION UNDER § 501 (C)(3) OF THE INTERNAL REVENUE
22 CODE.

23 (F) "PROGRAM PARTICIPANT" MEANS A PROGRAM APPLICANT THAT HAS BEEN
24 APPROVED FOR PARTICIPATION IN THE PROGRAM.

25 (G) "SENIOR" MEANS AN INDIVIDUAL AGE 60 OR OLDER.

26 7-1002.

27 (A) THERE IS A MARYLAND SENIOR RIDES DEMONSTRATION PROGRAM IN THE
28 ADMINISTRATION.

29 (B) THE PURPOSE OF THE PROGRAM IS TO ENCOURAGE REGIONAL
30 PROVIDERS TO PROVIDE DOOR-TO-DOOR TRANSPORTATION FOR LOW-INCOME TO
31 MODERATE-INCOME SENIORS.

32 (C) THE ADMINISTRATION SHALL AWARD A GRANT TO QUALIFIED PROGRAM
33 APPLICANTS, AS PROVIDED IN § 7-1003 OF THIS SUBTITLE, FOR THE OPERATION OF
34 TRANSPORTATION SERVICES AS SPECIFIED IN THIS SECTION.

1 (D) TO BE ELIGIBLE FOR A GRANT UNDER § 7-1003 OF THIS SUBTITLE, A
2 PROGRAM APPLICANT SHALL:

3 (1) PROVIDE DOOR-TO-DOOR TRANSPORTATION FOR LOW-INCOME TO
4 MODERATE-INCOME SENIORS WHO HAVE DIFFICULTY ACCESSING OR USING OTHER
5 EXISTING TRANSPORTATION SYSTEMS;

6 (2) USE PRIMARILY VOLUNTEER DRIVERS WHO DRIVE THEIR OWN
7 VEHICLES;

8 (3) USE A DISPATCHER SYSTEM TO RESPOND QUICKLY TO REQUESTS
9 FROM LOW-INCOME TO MODERATE-INCOME SENIORS FOR TRANSPORTATION TO
10 AND FROM APPOINTMENTS; AND

11 (4) DEFINE A GEOGRAPHIC AREA FOR WHICH DOOR-TO-DOOR
12 TRANSPORTATION IS PROVIDED.

13 (E) A PROGRAM PARTICIPANT MAY PROVIDE DOOR-TO-DOOR
14 TRANSPORTATION TO AN ELIGIBLE SENIOR WHO DOES NOT RESIDE IN THE
15 GEOGRAPHIC AREA DEFINED BY THE PROGRAM PARTICIPANT UNDER SUBSECTION
16 (D)(4) OF THIS SECTION WHEN APPLYING TO PARTICIPATE IN THE PROGRAM, SO
17 LONG AS SERVICE IS NOT DIMINISHED TO AN ELIGIBLE SENIOR WHO DOES RESIDE IN
18 THE DEFINED GEOGRAPHIC AREA.

19 (F) A PROGRAM PARTICIPANT SHALL EXPEND A MATCHING FUND OF AT
20 LEAST 25% OF THE TOTAL CAPITAL OR OPERATING COSTS ASSOCIATED WITH
21 PROVIDING DOOR-TO-DOOR TRANSPORTATION SERVICES FOR LOW-INCOME TO
22 MODERATE-INCOME SENIORS.

23 (G) A PROGRAM PARTICIPANT MAY NOT RECEIVE MORE THAN ONE GRANT
24 ANNUALLY AND MAY NOT RECEIVE A TOTAL OF MORE THAN FOUR GRANTS.

25 (H) NOTHING IN THIS SECTION PROHIBITS A PROGRAM PARTICIPANT FROM
26 PROVIDING SERVICES IN ADDITION TO THOSE DESCRIBED IN SUBSECTION (D) OF
27 THIS SECTION.

28 7-1003.

29 THE PROGRAM SHALL:

30 (1) SOLICIT GRANT APPLICATIONS FROM PROSPECTIVE PROGRAM
31 APPLICANTS;

32 (2) AWARD GRANTS OF UP TO \$100,000 EACH TO FOUR QUALIFIED
33 PROGRAM APPLICANTS OR, IF FEWER THAN FOUR QUALIFIED PROGRAM APPLICANTS
34 ARE IDENTIFIED BY THE ADMINISTRATION, TO EACH QUALIFIED PROGRAM
35 APPLICANT;

36 (3) ENSURE THAT THE GRANTS AWARDED UNDER ITEM (2) OF THIS
37 SECTION ARE DISTRIBUTED AMONG PROGRAM APPLICANTS PROVIDING

1 TRANSPORTATION SERVICES IN THE FOLLOWING AREAS WITH NO AREA RECEIVING
2 MORE THAN ONE GRANT PER YEAR:

3 (I) THE BALTIMORE METROPOLITAN AREA;

4 (II) THE WASHINGTON D.C. METROPOLITAN AREA;

5 (III) WESTERN MARYLAND;

6 (IV) SOUTHERN MARYLAND; AND

7 (V) THE EASTERN SHORE; AND

8 (4) ENSURE, TO THE EXTENT PRACTICABLE, THAT AT LEAST ONE GRANT
9 IS AWARDED TO PROGRAM APPLICANTS PROVIDING TRANSPORTATION SERVICES IN
10 EACH OF THE FOLLOWING AREAS:

11 (I) A RURAL AREA;

12 (II) AN URBAN AREA; AND

13 (III) A SUBURBAN AREA.

14 7-1004.

15 (A) THE ADMINISTRATION SHALL CONSULT WITH THE DEPARTMENT OF
16 AGING WHEN CONSIDERING THE ELIGIBILITY OF A PROGRAM APPLICANT FOR A
17 GRANT UNDER § 7-1003 OF THIS SUBTITLE.

18 (B) WHEN AWARDING A GRANT UNDER § 7-1003 OF THIS SUBTITLE, THE
19 ADMINISTRATION SHALL CONSIDER:

20 (1) THE ABILITY OF THE PROGRAM APPLICANT TO PROVIDE
21 DOOR-TO-DOOR TRANSPORTATION SERVICES TO LOW-INCOME TO
22 MODERATE-INCOME SENIORS;

23 (2) THE PROJECTED VOLUME OF RIDERSHIP;

24 (3) THE PROGRAM APPLICANT'S MARKETING AND OUTREACH PLAN TO
25 ATTRACT RIDERS AND DRIVERS;

26 (4) THE ABILITY OF THE PROGRAM APPLICANT TO SUSTAIN
27 DOOR-TO-DOOR TRANSPORTATION FOR LOW-INCOME TO MODERATE-INCOME
28 SENIORS BEYOND THE TIME WHEN GRANTS MAY BE AVAILABLE; AND

29 (5) THE EXTENT TO WHICH THE PROGRAM APPLICANT ENCOURAGES:

30 (I) SHARED RIDERSHIP;

31 (II) COORDINATION BETWEEN PUBLIC AND PRIVATE SECTOR
32 TRANSPORTATION PROVIDERS; AND

1 (III) INNOVATIONS IN RISK MANAGEMENT FOR DRIVERS AND
2 RIDERS.

3 (C) IN CONSULTATION WITH THE DEPARTMENT OF AGING, THE MARYLAND
4 INSURANCE ADMINISTRATION, AND SENIOR CITIZEN ADVOCACY GROUPS, THE
5 ADMINISTRATION SHALL ADOPT REGULATIONS TO IMPLEMENT THIS SUBTITLE,
6 INCLUDING REGULATIONS GOVERNING:

7 (1) CRIMINAL BACKGROUND AND DRIVING RECORD CHECKS OF
8 DRIVERS;

9 (2) DRIVER AND VEHICLE SAFETY;

10 (3) DRIVER TRAINING; AND

11 (4) THE LIABILITY COVERAGE OF A PROGRAM APPLICANT THAT
12 PROVIDES TRANSPORTATION SERVICES UNDER THE PROGRAM.

13 7-1005.

14 A PROGRAM PARTICIPANT THAT RECEIVES A GRANT UNDER § 7-1003 OF THIS
15 SUBTITLE SHALL SUBMIT TO THE ADMINISTRATION A WRITTEN REPORT ANNUALLY,
16 WHICH SHALL INCLUDE:

17 (1) THE NUMBER OF RIDERS AND DRIVERS PARTICIPATING IN THE
18 PROGRAM;

19 (2) THE AMOUNT AND SOURCE OF MATCHING FUNDS USED FOR GRANTS
20 AWARDED UNDER § 7-1003 OF THIS SUBTITLE;

21 (3) THE NATURE OF COOPERATIVE EFFORTS BETWEEN THE PROGRAM
22 PARTICIPANT AND OTHER GOVERNMENT AND PRIVATE-SECTOR ENTITIES;

23 (4) INNOVATIONS IN RISK MANAGEMENT FOR DRIVERS AND RIDERS;
24 AND

25 (5) ANY OTHER INFORMATION REQUIRED BY THE ADMINISTRATION TO
26 EVALUATE AND OPERATE THE PROGRAM.

27 SECTION 2. AND BE IT FURTHER ENACTED, That the Maryland Transit
28 Administration, on or before November 1 of each year, shall submit to the General
29 Assembly, subject to § 2-1246 of the State Government Article, an evaluation of the
30 Maryland Senior Rides Demonstration Program. The evaluation shall include the
31 number, size, type, and location of projects funded by the Program; the extent to
32 which the Program is filling the need for door-to-door transportation for low-income
33 to moderate-income seniors as those terms are defined in § 7-1001 of the
34 Transportation Article as enacted by this Act; any innovations in public-private
35 cooperation and risk management that result from the Program; and any other
36 information necessary to effectively evaluate the Program.

1 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 July 1, 2004.